

Aug 26, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORENZO ELIAS MENDEZ,

Defendant.

No. 1:18-CR-02037-SMJ-1

**ORDER GRANTING
GOVERNMENT'S MOTION TO
DISMISS COUNT 2 OF THE
SUPERSEDING INDICTMENT**

Before the Court, without oral argument, is the Government's Motion to Dismiss Count 2 of the Superseding Indictment. ECF No. 224. The Government moves to dismiss Count 2 of the Superseding Indictment without prejudice as to Defendant Lorenzo Elias Mendez pursuant to Federal Rule of Criminal Procedure 48(a). Having reviewed the pleadings filed in connection with the motion, the Court grants the Government's motion. The Court makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Government's Motion to Dismiss Count 2 of the Superseding Indictment, **ECF No. 224**, is **GRANTED**.

1 2. Count 2 of the Superseding Indictment **ECF No. 101**, is **DISMISSED**
2 **WITHOUT PREJUDICE** as to Defendant Lorenzo Elias Mendez.

3 3. The September 30, 2019 trial date and all other hearings with regard
4 to Count 2 of the Superseding Indictment only are **STRICKEN**, and
5 all pending motions related to Count 2 of the Superseding Indictment
6 are **DENIED AS MOOT**.

7 4. Sentencing on Count 1 of the Superseding Indictment, currently
8 scheduled for November 5, 2019, is not affected by this Order.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
10 provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals
11 Service.

12 **DATED** this 26th day of August 2019.

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15 SALVADOR MENDOZA, JR.
16 United States District Judge
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